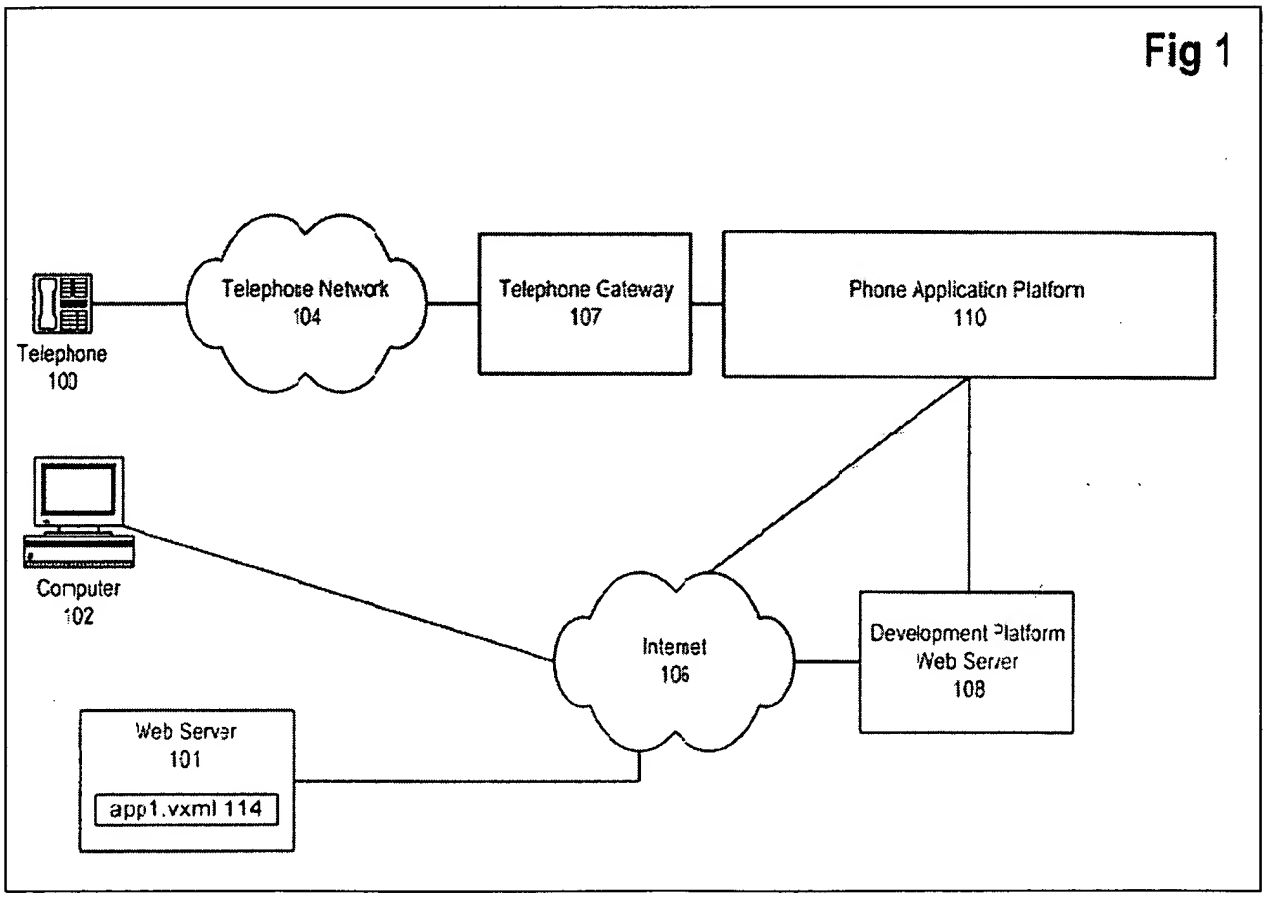
REMARKS

This Amendment is filed in response to the Office Action dated June 16, 2005, which has a shortened statutory period set to expire September 16, 2005.

Rejections Under 35 U.S.C. 112

Claims 1-27 and 30-35 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Applicant respectfully traverses this rejection in light of the following remarks.

The Office Action indicates that the limitation "at the computer based phone application platform" as recited in Claim 1 does not appear in the specification. However, this limitation is specifically described with respect to FIG. 1 (duplicated here for reference).



As noted in the specification as originally filed:

> In this instance the **application file 114 is identified by the URI** <http://www.valdemar.net/erik/grocery.vxml>. **The URI serves as a reference, or pointer, to the actual application code for the phone application platform 110**. ... Upon submission, the development platform web server 108 sends appropriate messages and/or updates suitable shared data, e.g. in the shared database 112, to **notify the phone application platform 110 to make the referenced phone application available**. (Specification, page 33, lines 2-14, emphasis added.)

Thus, during URI based development, "the URI application is 'live' on the phone application platform 110." (Specification, page 34, lines 8-9, emphasis added.) Therefore, "receiving the phone application code at the computer based phone application platform over the network interface from a remote computer via a development platform web server and using a web protocol" as recited by Claim 1 is fully supported in the specification.

Furthermore, Claim 1 as originally filed recited:

> A method of supporting development of a phone application code for a computer based phone application platform having a network interface and a telephone interface, the method comprising ... **receiving over the network interface from a remote computer the phone application code**. (Emphasis added.)

Thus, Claim 1 as originally filed provides explicit indication that at the time the invention was filed, Applicants had possession of the claimed invention related to the limitation "at the computer based phone application platform" associated with Claims 1-27 and 30-35.

The Office Action further rejects Claims 30-35 under 35 U.S.C. 112, first paragraph as failing to comply with the written description requirement for the reason that the "[n]ewly claimed subject matter is not found in Applicant cited portions of specification." Applicants respectfully traverse these rejections in light of the following remarks.

Claim 30 recites:

> The method of claim 1, wherein associating the phone application code with the telephone number comprises associating a uniform resource identifier (URI) with the telephone number, the URI serving as a pointer to the phone application code.

As noted in the specification as originally filed:

> The **URI serves as a reference, or pointer, to the actual application code** for the phone application platform 110. According to some embodiments of the invention, a developer makes her/his **application available for testing at the call in number 302 by submitting the URI** to the development platform web server 108." (Specification, page 33, lines 6-9, emphasis added.)

Thus, Claim 30 is fully supported in the specification as originally filed.

Claim 31 recites:

> The method of claim 30, wherein receiving the phone application code at the computer based phone application platform comprises:
>
> at the computer based phone application platform, responsive to receiving the telephone call via the telephone number, accessing the phone application code via the URI.

As noted in the specification as originally filed, "[a]ccording to some embodiments of the invention, a developer makes her/his **application available for testing at the call in number 302 by submitting the URI** to the development platform web server 108." (Specification, page 33, lines 7-10, emphasis added.) As shown in FIG. 3 (duplicated here for reference), once the "Application URI 304" is submitted, it is accessible by calling "Call in Number 302", as indicated by the text "Enter the UL to your VXML below, and call 1-800-756-#### to preview it."

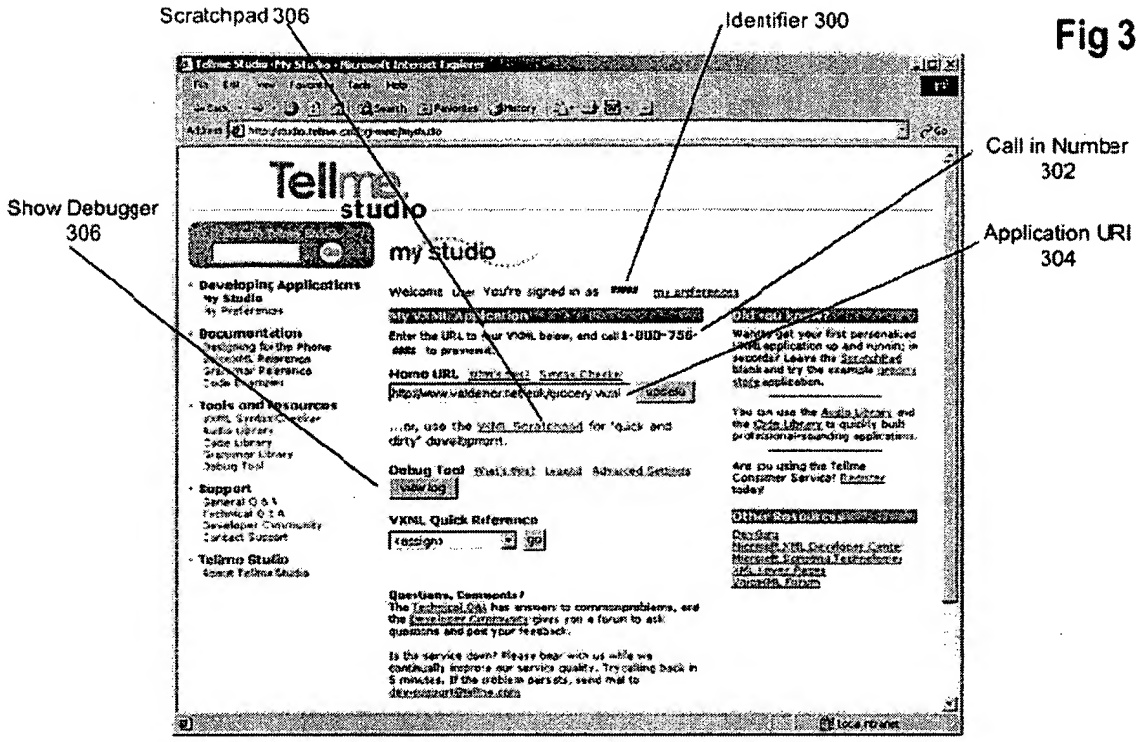


Fig 3

Thus, Claim 31 is fully supported in the specification as originally filed.

Claim 32 recites:

> The method of claim 7, wherein associating the phone application code with the telephone number comprises associating a uniform resource identifier (URI) with the telephone number, the URI serving as a pointer to the phone application code.

For substantially the same reasons as those presented above for Claim 30, Claim 32 is fully supported by the specification as originally filed.

Claim 33 recites:

> The method of Claim 32, wherein receiving the phone application code at the computer based phone application platform comprises:
>
> at the computer based phone application platform, responsive to receiving the telephone call via the telephone number, accessing the phone application code via the URI.

For reasons substantially similar to those presented above for Claim 31, Claim 33 is fully supported by the specification as originally filed.

Claim 34 recites:

> The method of Claim 10, wherein associating the phone application code with the telephone number comprises associating a uniform resource identifier (URI) with the telephone number, the URI serving as a pointer to the phone application code.

For reasons substantially similar to those presented above for Claim 30, Claim 34 is fully supported by the specification as originally filed.

Claim 35 recites:

> The method of Claim 34, wherein executing the phone application code comprises:
>
> at the computer based phone application platform, responsive to receiving the telephone call via the telephone number, accessing the phone application code via the URI.

For reasons substantially similar to those presented above for Claim 31, Claim 35 is fully supported by the specification as originally filed.

Claims 1-27 and 30-35 stand further rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. However, for at least the reasons presented above with respect to Claims 1-27 and 30-35, the subject matter of Claims 1-27 and 30-35 is fully enabled by the application as originally filed.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections of Claims 1-27 and 30-35 under 35 U.S.C. 112, first paragraph.

Rejections Under 35 U.S.C. 103

Claims 1-2, 4-7, 9-17, 19-21, 24-26, and 28-35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Leask in view of House. Applicants respectfully traverse these rejections in light of the following remarks.

Claim 1 recites:

> A method of supporting development of a phone application code for a computer based phone application platform having a network interface and a telephone interface, the method comprising:
>
> **receiving the phone application code at the computer based phone application platform over the network interface from a remote computer via a development platform web server and using a web protocol;**
>
> associating the phone application code with a telephone number for communicating with the telephone interface; and
>
> **at the computer based phone application platform,** responsive to receiving a telephone call via the telephone number,
>
> **executing the phone application code;**
>
> presenting an audio output over the telephone interface; and
>
> **presenting a call flow to the remote computer over the network interface via the development platform web server and using the web protocol,** the call flow tracking a flow of execution for a phone call. (Emphasis added.)

"[R]eceiving the phone application code at the computer based phone application platform ... from a remote computer ... [and then] at the computer based phone application platform ... executing the phone application code" as recited in Claim 1, beneficially provides an environment in which "developers, or programmers, [can] easily create phone applications without the need for specialized hardware or software on their local machines." (Specification, page 11, lines 5-7.)

The Office Action indicates that the "receiving the phone application code at the computer based phone application

platform over the network interface from a remote computer" as recited by Claim 1 is taught by "column 7, line 65 to column 8, line 6; column 18, lines 26-41" of Leask. Applicants respectfully submit that this is an improper interpretation of Leask.

The Office Action cites a portion of Leask that states:

> Still a further technical advantage of one aspect of the present invention is that a system and method for debugging computer programs graphically are provided wherein an application that is stored and/or executing remotely can be debugged utilizing a debugging program that is executing locally. Accordingly, a debugging program is not required to be executing at each remote site where an application program is stored and/or executing. (Leask, col. 7, line 65 to col. 8, line 6.)

This cited portion of Leask merely mentions a "remote site where an application program is stored and/or executing", and does not disclose or suggest "receiving the phone application code **at the computer based phone application platform** over the network interface from a remote computer" (emphasis added) as recited by Claim 1.

In a similar vein, Leask further recites:

> Turning back now to FIG. 1, in a preferred embodiment of the present invention, the graphical debugging program is executed locally, such as on computer system 100_{LOCAL}. Further, in a preferred embodiment, an application program to be debugged may be stored either locally, such as on computer system 100_{LOCAL}, or remotely, such as on computer system 100_{REMOTE}. If the application program is stored remotely at system 100_{REMOTE}, a graphical representation of the application program may be retrieved via network 108 and displayed locally at computer system 100_{LOCAL}. Thereafter, the application program may be debugged utilizing the graphical debugging environment running locally on computer system 100_{LOCAL}. That is, the graphical debugging program may be utilized locally at computer system 100_{LOCAL} to insert debug tools, such as breakpoints, for the remote application program. (Leask, col. 18, lines 26-41.)

Here, Leask only states that "If the application program is stored remotely at system 100_{REMOTE}, **a graphical representation of the application program may be retrieved via network 108 and displayed locally at computer system 100_{LOCAL}.**" (Emphasis added.) System 100_{LOCAL} of Leask is a "local personal computer system" (Leask, col. 8, lines 62-63) and nowhere is described as a "computer based phone application platform" as recited by Claim 1.

Furthermore, even assuming, arguendo, that System 100_{LOCAL} could be considered to be a "computer based phone application platform" as recited by Claim 1, Leask merely teaches "[retrieving] a graphical representation of the application program ... via network 108" (Leask, col. 18, lines 33-35) and does not disclose or suggest "**receiving the phone application code** at the computer based phone application platform over the network interface from a remote computer" (emphasis added) as recited by Claim 1.

The Office Action states that "[r]eceiving a graphical representation of a program is receiving the phone application code. The representation must include code if it is to be debugged." Applicants respectfully submit that this is an incorrect assertion. As is well known in the art, the graphical representation of a program certainly does not require receiving actual application code. For example, a "thin client" can display graphical representations of application code running on an application server (see, for example, Wikipedia definition at http://en.wikipedia.org/wiki/Thin_client). By explicitly teaching "[retrieving] **a graphical representation** of the application program ... via network 108" (Leask, col. 18, lines 33-35), Leask actually teaches away from "**receiving the phone application code** at the computer based phone application platform" (emphasis added) as recited by Claim 1.

Furthermore, debugging certainly does not require that code be included in the graphical representation. In fact, Leask states that "the graphical **debugging program may be utilized locally** ... to insert debug tools, such as breakpoints, **for the remote application program.**" (Leask, col. 18, lines 38-41, emphasis added.) Here too, Leask teaches away from "receiving the phone application code at the computer based phone application platform" as recited by Claim 1.

The Office Action further indicates that "**at the computer based phone application platform, responsive to receiving a telephone call** via the telephone number, **executing the phone application code**" (emphasis added) as recited by Claim 1 is taught by Leask at column 18, lines 42-44 and column 16, lines 47-49. Applicants respectfully submit that this is an improper interpretation of Leask.

Column 18, lines 42-44 of Leask recite that "[m]oreover, in a preferred embodiment, the graphical debugging environment allows a developer to debug an application program during the application's runtime", while column 16, lines 47-49 of Leask recite that "the icon currently being executed may be highlighted or otherwise indicated to allow a developer to monitor the progress of the program's execution." In both cases, the activity is described within the graphical debugging environment of Leask, which is only described as running on local system 100_{LOCAL} (e.g., "Accordingly, the graphical debugger program running on local computer 100_{LOCAL} may be utilized to debug locally stored programs or programs stored at remote locations (e.g., 100_{REMOTE}) via network 108." Leask, col. 10, lines 4-8.).

In neither of these cited portions of Leask (nor in any non-cited portion of Leask) is it disclosed or suggested that local system 100_{LOCAL} can be considered "the computer based phone

application platform" recited by Claim 1. Furthermore, even assuming, arguendo, that local system 100_{LOCAL} can be considered a "computer based phone application platform" as recited by Claim 1, Leask does not disclose or suggest that local system 100_{LOCAL} includes a "telephone interface" as recited by Claim 1. Therefore, Leask certainly does not teach "**at the computer based phone application platform, responsive to receiving a telephone call** via the telephone number, **executing the phone application code**" (emphasis added) as recited by Claim 1.

House does not remedy any of these deficiencies of Leask. House describes a "network server 110 [that] comprises a web server 502 ... [that] provides access between the network server 110 and the user computers 104[, and] an application server 504 for running the applications (shown in FIG. 1 as 112)." House does not disclose or suggest that network server 110 includes a "telephone interface" as recited by Claim 1, and so does not teach a "computer based phone application platform" as recited by Claim 1.

However, even assuming, arguendo, that network server 110 of House can be considered a "computer based phone application platform" as recited by Claim 1, House teaches a system in which applications are housed and executed within a network server, and consequently teaches away from "**receiving the phone application code** at the computer based phone application platform **over the network interface from a remote computer**" (emphasis added) as recited by Claim 1.

Furthermore, because House does not disclose or suggest any telephone-based interaction, and House certainly does not teach "at the computer based phone application platform, **responsive to receiving a telephone call** via the telephone number, **executing the phone application code**" (emphasis added) as recited by Claim 1.

In addition, while the Office Action indicates that House teaches "**receiving the phone application code** at the computer based phone application platform over the network interface from a remote computer **via a development platform web server and using a web protocol**" (emphasis added) as recited by Claim 1, Applicants respectfully submit that House provides no such teaching. House does not disclose or suggest a "development platform web server" as recited in Claim 1, and actually teaches away from such a web server by incorporating application server 504 into network server 110.

Thus, for at least these reasons, Claim 1 is allowable under 35 U.S.C. 103(a) over Leask in view of House. Claims 2, 4-6, 30, and 31 depend from Claim 1, and are therefore allowable over Leask in view of House for at least the same reasons that Claim 1 is allowable. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 1-2, 4-6, 30, and 31.

In addition, Claim 30 recites "associating a uniform resource identifier (URI) with the telephone number, the URI serving as a pointer to the phone application code." The Office Action indicates that this limitation is taught by House, but no such support is found in the cited portions of House. In fact, House explicitly describes that "[t]he **help desk technician 114 answers the call**, and asks the user 102 for the URL" (House, col. 5, lines 22-23, emphasis added), and therefore teaches away from "associating a uniform resource identifier (URI) with the telephone number, the URI serving as a pointer to the phone application code" as recited by Claim 30. For at least this additional reason, Claim 30 is further allowable over Leask in view of House.

Likewise, Claim 31, which recites "at the computer based phone application platform, responsive to receiving the

telephone call via the telephone number, accessing the phone application code via the URI", is further allowable over Leask in view of House, since as described above with respect to Claim 30, House teaches a method in which a "helpdesk technician" provides manual URL selection.

Claim 7 is allowable under 35 U.S.C. 103(a) over Leask in view of House for reasons substantially similar to those provided with respect to Claim 1. Claims 9, 32, and 33 depend from Claim 7, and are therefore allowable over Leask in view of House for at least the same reasons that Claim 7 is allowable. Note that Claims 32 and 33 are further allowable over Leask in view of House for at least the reasons presented above with respect to Claims 30 and 31, respectively. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 7, 9, 32, and 33.

Claim 10 is allowable under 35 U.S.C. 103(a) over Leask in view of House for reasons substantially similar to those provided with respect to Claim 1. Claims 11-14, 34, and 35 depend from Claim 10, and are therefore allowable over Leask in view of House for at least the same reasons that Claim 10 is allowable. Note that Claims 34 and 35 are further allowable over Leask in view of House for at least the reasons presented above with respect to Claims 30 and 31, respectively. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 10-14, 34, and 35.

Claim 15 is allowable under 35 U.S.C. 103(a) over Leask in view of House for reasons substantially similar to those provided with respect to Claim 1. Claims 16-17, 19-21, and 24-26 depend from Claim 15, and are therefore allowable over Leask in view of House for at least the same reasons that Claim 15 is allowable. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 15-17, 19-21, and 24-26.

Claim 28 is allowable under 35 U.S.C. 103(a) over Leask in view of House for reasons substantially similar to those provided with respect to Claim 1. Accordingly, Applicants respectfully request reconsideration and allowance of Claim 28.

Claim 29 is allowable under 35 U.S.C. 103(a) over Leask in view of House for reasons substantially similar to those provided with respect to Claim 1. Accordingly, Applicants respectfully request reconsideration and allowance of Claim 29.

Claims 3, 8, and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Leask in view of House and further in view of the "Dictionary of Computing", Fourth Edition, Oxford University Press, 1996 (hereinafter "Dictionary"). Applicants respectfully traverse these rejections in light of the above amendments to the claims and the following remarks.

As noted above, Leask in view of House does not teach or suggest:

> **[R]eceiving the phone application code** at the computer based phone application platform over the network interface from a remote computer **via a development platform web server and using a web protocol** ... and
>
> at the computer based phone application platform, **responsive to receiving a telephone call via the telephone number, executing the phone application code**. (Emphasis added.)

The cited portion of Dictionary simply recites a definition of a "trace program", and therefore does not remedy the deficiencies of Leask and House.

Claim 3, which depends from Claim 1, is therefore allowable over Leask in view of House and further in view of Dictionary. Accordingly, Applicants respectfully request reconsideration and allowance of Claim 3.

Similarly, Dictionary does not remedy the deficiencies of Leask and House with respect to Claim 7, from which Claim 8 depends. Therefore, Claim 8 is allowable over Leask in view of

House and further in view of Dictionary. Accordingly, Applicants respectfully request reconsideration and allowance of Claim 8.

Similarly, Dictionary does not remedy the deficiencies of Leask and House with respect to Claim 15, from which Claim 22 depends. Therefore, Claim 22 is allowable over Leask in view of House and further in view of Dictionary. Accordingly, Applicants respectfully request reconsideration and allowance of Claim 22.

Claims 18 and 27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Leask in view of House and further in view of "VoxML 1.0 Application Development Guide" (hereinafter "VoxML"). Applicants respectfully traverse these rejections.

For reasons substantially similar to those provided above with respect to Claim 1, Leask in view of House does not teach

> **receiving at the first computer system over the web interface a uniform resource identifier (URI) from a second computer system**, the URI corresponding to a location of a phone application;
>
> **at the first computer system, responsive to the receiving the URI, sending** a first message to the phone application platform using the first computer system, the first message corresponding to a **request to make the phone application located at the URI available on the phone application platform at a telephone number.**" (Emphasis added.)

as recited by Claim 15. As noted by the Office Action, VoxML describes "a phone application written in an XML based voice language". However, VoxML does not remedy the above-described deficiencies of Leask and House with respect to Claim 15, and therefore, Claims 18 and 27, which depend from Claim 15, are allowable under 35 U.S.C. 103(a) over Leask in view of House and further in view of VoxML. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 18 and 27.

Claim 23 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Leask in view of House and further in view of U.S. Patent No. 6,232,984, issued May 15, 2001 to Chuah et al. (hereinafter "Chuah"). Applicants respectfully traverse this rejection in view of the above amendments and the following remarks.

As noted above, Leask in view of House does not teach

> **receiving at the first computer system over the web interface a uniform resource identifier (URI) from a second computer system**, the URI corresponding to a location of a phone application;
>
> **at the first computer system, responsive to the receiving the URI, sending** a first message to the phone application platform using the first computer system, the first message corresponding to a **request to make the phone application located at the URI available on the phone application platform at a telephone number.**" (Emphasis added.)

as recited by Claim 15. Chuah only teaches a "data visualization system for visually displaying large amounts of data, e.g., related to a software project, accumulated over a period of time" (Chuah, col. 2, lines 33-35), and does not remedy the above-described deficiencies of Leask and House with respect to Claim 15. Therefore, Claim 23, which depends from Claim 15, is allowable under 35 U.S.C. 103(a) over Leask in view of House and in further view of Chuah. Accordingly, Applicants respectfully request reconsideration and allowance of Claim 23.

CONCLUSION

Claims 1-35 are pending in the present Application. Reconsideration and allowance of these claims is respectfully requested.

If there are any questions, please telephone the undersigned at (408) 451-5903 to expedite prosecution of this case.

Respectfully submitted,

/John M. Kubodera/

Customer No.: 24488

John M. Kubodera
Attorney for Applicant(s)
Reg. No. 45,984

I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 16, 2005.

9/16/2005 Rebecca A. Baumann
Date Signature: Rebecca A. Baumann